

ORDINANCE No. 188356

Establish an Open Data Policy and create an Open Data Program for the City of Portland (Ordinance)

The City of Portland Ordains:

Section 1. The Council finds:

1. The City of Portland is committed to the publication, open access, and widespread sharing of data collected and generated by the City, and by private sector companies, non-profit organizations, academia, and other parties working on behalf of the City. An Open Data Policy and Program will increase transparency, foster a culture of using data to inform and evaluate City decisions, reduce staff time devoted to responding to requests for City data, encourage innovative approaches to meeting City goals, and achieve more equitable program and service outcomes.
2. In 2009, Portland became the first city in the United States to adopt an Open Data Resolution ([Resolution No. 36735](#)) to encourage the expansion of the technological community by promoting open data and partnerships between City government and the public, private and nonprofit sectors, academia, and labor. The directives in the Resolution applied to the Bureau of Technology Services and the City's Purchasing Agent. The directives included publishing and maintaining public datasets, developing a strategy to adopt prevailing open data standards, organizing regional contests to encourage the development of software applications, collecting, organizing, and sharing public data, and working with regional partners to promote Portland as a host city for open source conferences. Since its adoption, these parties have taken initial steps to establish an Open Data Program for the City, including the creation of the CivicApps Open Data platform and the PortlandMaps Open Data portal.
3. The Portland Police Bureau launched an Open Data portal in 2017 as part of the Police Data Initiative (PDI). The PDI, in partnership with leading law enforcement agencies from around the country, seeks to establish a community of practice around police open data. As a participating agency, the PPB is committed to making data accessible to community members. The PDI embraces open data as an important opportunity for transparency, community engagement, and innovation. The Police Bureau's participation in PDI, including experience designing an open data portal, will inform the citywide Open Data Program and give the City access to a network of other jurisdictions for sharing lessons learned and best practices.
4. All City bureaus collect and share data about their operations using standardized, digital formats. However, the City has no comprehensive, centralized list of existing datasets, and no process for prioritizing or reviewing of data for release to the public.
5. No City policy requires City bureaus to collect, store, maintain, update, and release data to other agencies and the public on a regular basis. Multiple, redundant datasets exist across the City, leading to issues with data consistency, data quality, version control, interoperability and efficiency of access to information. Moving to an open, standardized, automated, and centralized system for managing City data will help address these issues, and also promote shared, standardized digital systems for creating and collecting data.

6. Making data available via an online Open Data Portal will benefit City staff by breaking down data silos, streamlining the sharing of data across bureaus, and encouraging collaboration among City staff. A robust flow of data within the City creates a culture of information sharing that is foundational to Portland's Smart Cities efforts, which focus on using technology and data to inform decision-making and provide better, more equitable, and more accessible infrastructure and services.
7. The number of public records requests to the City of Portland has increased substantially in recent years. A significant amount of staff time is devoted to addressing these requests. Self-service portals for accessing City information both improve the public's experience with requesting data and reduce staff time spent on fulfilling records requests. This will be increasingly valuable as the amount of data the City creates and collects grows. The City currently has no system for connecting public records requests to our open data portals, and no process for prioritizing data that is repeatedly requested for release to the public through our public records request system.
8. Portland is home to an active and engaged technology community. Proactive collection and sharing of data by all City bureaus ensures that Portland is receiving the greatest benefit from this technology community. Proactive data sharing unlocks the social and commercial value of our assets. The private and nonprofit sectors, academia, labor community and general public can all utilize open data to help solve Portland's most pressing issues, to boost economic development, and to build ladders of opportunity for our community through innovative uses of data and technology.
9. Building a culture of information sharing through open data will facilitate the development of open standards around how data is structured and delivered, an area where the Portland region has demonstrated leadership and expertise. For example, in 2005 TriMet partnered with Google to create the General Transit Feed Specification (GTFS), a standard for the structure of real-time transit schedule information. The benefits of this collaboration are realized by transit agencies around the world who have adopted the standard to make ridership easier for the millions of individuals who utilize public transit.
10. Data about City infrastructure and use of that infrastructure is increasingly being collected by private sector companies, often passively in the public domain. Establishing processes by which private companies share this data helps the City better manage and maintain our infrastructure, informs our policy and decision-making, and encourages public participation in decisions regarding the design, maintenance and utilization of City systems and assets.
11. A primary goal of the Portland Plan implementation is to coordinate processes for data collection and data analyses, in order to allow bureaus, agencies, businesses, community organizations and Portlanders to base decisions on accurate and shared information. An Open Data Program will help achieve this goal by making data more readily available to City staff and the public, by improving the quality of data, and by building a foundation for data-driven decision making.
12. The Portland 2035 Comprehensive Plan Chapter 2: Community Involvement, Policy 2.11 states that the City will encourage publication, accessibility, and widespread sharing of data collected and generated by the City. Testimony to City Council during the Comprehensive

Plan's adoption was strongly in favor of achieving these goals through an Open Data Program.

13. The City's Citywide Racial Equity Goals & Strategies cites "...improved access to data to measure the success of specific programmatic and policy changes and to develop baselines, set goals, and measure progress" as a key strategy. An Open Data Program would help achieve these racial equity goals by making data readily available and accessible, developing a more comprehensive inventory of City data, and giving the public increased transparency into the effectiveness of City programs and policies.
14. Through the City's participation in the Bloomberg Philanthropies What Works Cities initiative, per City Council Resolution No. 37236, City staff have received technical assistance to advance a comprehensive Open Data strategy, and access to a peer network working on similar Open Data issues.
15. Through this Ordinance, the City seeks to expand upon the work completed as a part of the 2009 Open Data Resolution ([Resolution No. 36735](#)), establishing mechanisms for engaging all City bureaus in the proactive collection and distribution of City data.

NOW, THEREFORE, the Council directs:

- a. The City of Portland establishes an Open Data Policy to be committed to the publication, accessibility, and equitable and widespread sharing of data collected and generated by all City bureaus and by private sector companies, non-profit organizations, academic universities and other parties working on behalf of the City. The City will strive to make data open by default.
- b. To implement the Open Data Policy, the City shall create an Open Data Program which shall address the program elements and processes shown in Exhibit A.
- c. The Mayor's Office shall establish and appoint members to a Data Governance Team who will be responsible for providing guidance to departments and City Council on the overall direction of the City's Open Data Program, including recommending updates to the Open Data Policy and publishing an annual report on progress toward achieving strategic goals for the Open Data Program.

Passed by the Council:

Mayor Ted Wheeler
Prepared by: Kevin Martin
Date Prepared: April 17, 2017

Mary Hull Caballero
Auditor of the City of Portland
By

Deputy

Exhibit A
City of Portland Open Data Program
Program Elements and Processes

1. The Data Governance Team will address the following Open Data Program elements and processes:
 - a. Define and memorialize strategic goals for the City's Open Data Program.
 - b. Develop a system of governance for the Open Data Program and identify resources and funding needed to ensure the Open Data Program is successful and sustainable.
 - c. Establish a timeline for Open Data Program implementation and project milestones.
 - d. Appoint a Data Steward within each data-generating City bureau who will coordinate with the Data Governance Team and ensure that their bureau is in compliance with the Open Data Policy and Program.
 - e. Develop standards to determine which data sets are appropriate for public disclosure by balancing the benefits of open data with the need to protect information that is confidential, trade secret, or otherwise protected by law.
 - f. Create a comprehensive inventory of data collected and generated by and on behalf of the City.
 - g. Explore opportunities for open, standard data formats, reduced redundancy in data collection, interoperability of internal City data systems and to modify existing applications and workflows to increase the availability of open data.
 - h. Explore data analytics methodologies and systems to make data more useful to City leadership, City staff and the public.
 - i. Establish mechanisms for prioritizing the collection of data to release through the City's Open Data Portal which will consider existing and new signs of public interest (e.g., public records requests), relationship to strategic goals, cost, risk to the City, and confidentiality, legal and privacy concerns.
 - j. Ensure that data released as part of the Open Data Program is made freely available for public use, reuse and redistribution using an open license.
 - k. Develop contract provisions that align with the goals of the Open Data Program. The provisions shall contain rules for including open data requirements in applicable City contracts and standard contract provisions including, where appropriate, provisions to ensure that the City retains ownership of data.
 - l. Serve as a liaison with other state and local governments for the purposes of promoting open data, integrating regional datasets, and developing regional standards.
 - m. Identify methods for engaging external stakeholders, as well as promoting the value of open data to City staff and leadership, in the ongoing implementation of the Open Data Program.

2. Data released onto the Open Data Portal will maintain the following qualities:
 - a. Machine readability.
 - b. Timeliness, meaning data is updated as often as necessary to preserve the integrity and usefulness of the datasets.
 - c. Documented with metadata describing data sources, structure and data accuracy.
 - d. Free and distributable.

3. The Data Governance Team will work with private sector companies, non-profit organizations, academia, and other government and non-government agencies that are using City infrastructure or operating in the public right-of-way to establish data sharing agreements that would inform City operations and decision making (e.g., private transportation providers operating on the City's streets sharing data that could inform decisions about mobility operations and safety of travelers).
4. The Data Governance Team, in partnership with bureau Data Stewards, will produce an annual report on the City's Open Data Program, including datasets released in the previous year, suggested revisions to existing program processes, and overall progress toward the Program's strategic goals.
5. The actions of the Data Governance Team shall be consistent with all applicable public records laws, including Title 3, Chapter 3.76 of the City Code & Charter and Oregon Public Records Law, and all applicable privacy, confidentiality, security, accessibility and student records laws and otherwise legally confidential and/or privileged information.

Exhibit B
City of Portland Open Data Program
Definitions

Data: Statistical, factual, quantitative, or qualitative information that is regularly maintained or created by or on behalf of a City bureau and is in a form that can be digitally transmitted or processed.

Open Data: Data that can be freely accessed, used, reused and redistributed by anyone.

Metadata: A set of data that describes and gives information about other data, including its description, origination, and accuracy limitations (timeframe, scale, and use).

Machine-Readable Data: Data (or metadata) which is in a format that can be read and processed by a computer.

Data Governance Team: Team of City staff representing multiple data-generating bureaus that is responsible for designing and implementing processes carried out through the Open Data Program.

Data Steward: An Individual in each data-generating City bureau who will be responsible for implementing the Open Data Program on behalf of their bureau, and coordinating with the Data Governance Team.

Data Analytics: The process of examining multiple large, raw datasets to uncover patterns, correlations, and other useful business information.

Open Data Portal: A central online location where open data can be accessed, analyzed and/or downloaded by internal City staff or the public, free of charge.

IMPACT STATEMENT

Legislation title: Establish an Open Data Policy and create an Open Data Program for the City of Portland (Ordinance 188356)

Contact name: Kevin Martin
Contact phone: (503) 823-7710
Presenter name: Kevin Martin

Purpose of proposed legislation and background information:

The City of Portland was one of the first cities to adopt an Open Data resolution and create an Open Data portal, CivicApps, in 2009 ([Resolution No. 36735](#)). Since then, Portland has fallen behind many other cities. Portland does not have an adopted Open Data policy, and has not established an Open Data program or governance system for data. CivicApps has not changed significantly since it was created, and the number and types of datasets released through CivicApps has not increased substantially since 2009.

In September 2016, the City partnered with Bloomberg Philanthropies' [What Works Cities](#) per [Council Resolution 37236](#). The purpose of this partnership was to advance Open Data in the City, building on the 2009 Open Data Resolution.

The Bureau of Planning and Sustainability has been leading this effort in partnership with the City Budget Office. BPS and CBO have been meeting weekly since October of 2016 with technical experts from What Works Cities and their partners in the [Sunlight Foundation](#) and the [Center for Government Excellence at Johns Hopkins University](#).

This Ordinance expands upon the work completed as a part of the 2009 Open Data Resolution, establishing mechanisms for engaging all City bureaus in the proactive collection and distribution of City data.

Establishing an Open Data Policy and Program and a system of data governance in the City of Portland will result in:

- a) Increased transparency and improved public trust;
- b) Greater civic participation and engagement;
- c) Better access to data to inform and improve decision making;
- d) Reduced staff time devoted to responding to requests for City data;
- e) Greater likelihood of data-driven innovations in the private sector that increase the social and commercial value of City assets and improve the delivery of City services.

An Open Data Policy and Program, and the systems and standards that would result, are also fundamental to the City of Portland's Smart Cities efforts. Shared, standardized systems for collecting, managing, analyzing and distributing data are foundational requirements to meet Smart Cities goals of using data to inform decisions, to design and evaluate policies and programs, and to partner with the private sector to meet City goals around livability, affordability, safety, sustainability, and equity.

Financial and budgetary impacts:

The Bureau of Planning and Sustainability (BPS) has submitted a Decision Package for the 2017/2018 fiscal year budget that includes two FTE. One FTE will help coordinate citywide, cross-agency Smart Cities strategy and projects across bureaus and build partnerships among public, private, and academic institutions.

This Decision Package will also help establish an Open Data Program and Data Governance Team. The second FTE will be devoted to the Open Data Program, working with other bureaus and the community to develop a system of data governance and to identify resources and funding needed to ensure the Open Data Program is successful and sustainable.

If BPS does not receive both positions requested in the Decision Package, 1.0 FTE would need to be reallocated from BPS or another City bureau to manage this program.

Community impacts and community involvement:

This proposed ordinance builds on related community involvement through other processes including the Portland Plan and the 2035 Comprehensive Plan. The resulting Open Data Program also advances community involvement by making government data and analysis of government data more easily accessible by the public.

A primary goal of the Portland Plan implementation is to coordinate processes for data collection and data analyses, in order to allow bureaus, agencies, businesses, community organizations and Portlanders to base decisions on accurate and shared information. An Open Data Program will help achieve this goal by making data more readily available to City staff and the public, by improving the quality of data, and by building a foundation for data-driven decision making.

The Portland 2035 Comprehensive Plan Chapter 2: Community Involvement, Policy 2.11 states that the City will encourage publication, accessibility, and widespread sharing of data collected and generated by the City. Testimony to City Council during the Comprehensive Plan's adoption was strongly in favor of achieving these goals through an Open Data Program.

The City's Citywide Racial Equity Goals & Strategies cites "...improved access to data to measure the success of specific programmatic and policy changes and to develop baselines, set goals, and measure progress" as a key strategy. An Open Data Program would help achieve these racial equity goals by making data readily available and accessible, developing a more comprehensive inventory of City data, fostering a culture of using data to inform and evaluate City decisions, and giving the public increased transparency into the effectiveness of City programs and policies.

The Open Data Program and the Data Governance Team created to implement the Program will also:

- a) Identify methods for engaging external stakeholders, representative of diverse Portland communities, in the ongoing implementation of the Open Data Program;
- b) Work with the Portland community to help the City develop standards to determine which data sets are appropriate for public disclosure by balancing the benefits of open data with the need to protect information that is confidential;

- c) Establish mechanisms for prioritizing the collection of data to release through the City's Open Data Portal which will consider existing and new signs of public interest;
- d) Encourage the public to utilize open data to help solve Portland's most pressing issues, to boost economic development, and to build ladders of opportunity for Portland's communities through innovative uses of data and technology.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES:** Please complete the information below.
- NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount